

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 11-4797-GHK(AJW)

Date: February 5, 2013

Title: RAUL LANUZA VELAZQUEZ VS. ERIC HOLDER, ET AL.

Present: The

Honorable ANDREW J. WISTRICH, U.S. MAGISTRATE JUDGE

N/A

Ysela Benavides

N/A

Deputy Clerk

Court Smart Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

No Appearance

**Proceedings: ORDER TO SHOW CAUSE REGARDING FAILURE TO
COMPLY WITH LOCAL RULE 3-2**

Counsel for petitioner was not present in court on November 26, 2012.

In an attempt to notify counsel of the responsibility to comply with the Local Rules regarding initiating documents, on October 26, 2012, the Court electronically notified petitioner's counsel of the obligation to comply with Local Rule 3-2. Following the 24 hour deadline allowed to submit the initiating documents in PDF format by e-mail to the Clerk's Office Civil Intake (Divisional) Section, on November 6, 2012, the Court issued a written Order to Comply with Local Rule 3-2 within 24 hours , which was electronically served on counsel of record. Petitioner's counsel failed to comply with the written notice. The Court then scheduled an Order to Show Cause hearing on November 26, 2012, and warned that sanctions may be imposed. Plaintiff's counsel failed to appear at the Order to Show Cause hearing.

The Court's requirements concerning initiating documents are essential to the efficient operation of the Court's e-filing system. No excuse or justification for non-compliance has been presented. The Court has attempted to obtain compliance by means other than imposition of sanctions, but its efforts have been ignored. On the present record, the stubborn refusal of petitioner's counsel to comply with Local Rule 3-2 amounts to bad faith. Accordingly, the Court has no realistic alternative but to impose sanctions.

Therefore, the Court ORDERS petitioner's counsel, Patrick F. Valdez to comply with Local Rule 3-2 and to pay sanctions in the amount of \$500.00 to the Clerk's Office no later than February 28, 2013.

If petitioner's counsel fails to comply and pay the sanction as directed, the Court will consider the possibility of imposing further sanctions, potentially including a larger monetary sanction, reporting counsel to the State Bar, or initiating contempt proceedings.

cc: Parties